IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 12265 of 2007(I)

PETITIONER:

R.SURESH KUMAR, S/O.RETNAKARAN,
KALLOORVILAKATH HOUSE, KOTTAKAKOM MURI,
ARYANAD VILLAGE, NEDUMANGAD, TRIVANDRUM.

BY ADV. SRI.VAKKOM N.VIJAYAN
SMT.REEJA HARI
SMT.VINITHA PRASANNAN
SRI.P.ANIYAN
SMT.REENA.C.STEPHENSON
SRI.A.S.SACHIN

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, HOME DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.**

2. **DIRECTOR GENERAL OF POLICE, POLICE HEADQUARTERS, THIRUVANANTHAPURAM.**

3. **SUPERINTENDENT OF POLICE, TRIVANDRUM RURAL, TRIVANDRUM.**

4. **THE DEPUTYF SUPERINTENDENT OF POLICE, NEDUMANGAD.**

5. **THE CIRCLE INSPECTOR OF POLICE, ARYANAD, NEDUMANGAD.**

6. THE SUB INSPECTOR OF POLICE, ARYNAD,
   NEDUMANGAD.

7. ANILKUMAR @ OOMAKUTTAN, M.S.BHAVAN,
   PARANDODU, ARYANAD, NEDUMANGAD.

8. SUNIL KUMAR, @ OOMAKANNAN, M.S.BHAVAN,
   PARANDODU, ARYANAD, NEDUMANGAD.

9. SHIBU @ KUTTIKOORA SHIBU, VISHNU NAGAR,
   HOUSING BOARD, KOTTAKAKOM, TRIVANDRUM.

10. ANIL @ PALLAN ANIL, VISHNU NAGAR
    HOUSING BOARD, KOTTAKKAKOM, TRIVANDRUM.

BY ADV. SMT.URSULA FRANCIS
SRI.K.SATHEESH KUMAR
BY GOVERNMENT PLEADER SRI.SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.12265/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REPORT DT. 14.2.05 OF THE VIGILANCE OFFICER EXCISE DEPARTMENT.

EXT.P2:- COPY OF THE PROGRAMME AGAINST THE ILLICIT LIQUOR TRADE CORRUPTION IN SOCIETY AND STAUNCH PROPAGANTIST OF TOTAL PROHIBITIION IN THE STATE FROM 1.1.01 TO 1.2.01.

EXT.P3:- COPY OF THE ANOTHER PROGRAMME ON 12.12.03.

EXT.P4:- COPY OF THE ORDER DT. 15.1.07 IN MC. 215/04 OF THE SUB DIVISIONAL MAGISTRATE, TVM.

EXT.P5:- COPY OF THE ORDER DT. 2.6.03 ON COMPLAINT NOS. 715,716, 717/02 OF THE KERALA LOK AYUKTA.

EXT.P6:- COPY OF THE PETITION DT. 1.3.05 WITH MINUTES OF THE D.G.P.

EXT.P7:- COPY OF THE ORDER DT. 18.1.06 IN COMPLAINT NO.1227/05 OF LOK AYUKTA.

EXT.P8:- COPY OF THE NEWS ITEM APPEARED IN KERALA KAUMUDI DT. 27.9.04.

EXT.P9:- COPY OF THE NEWS ITEM APPEARED IN RASHTRA DEEPIKA DT. 30.9.04.

EXT.P10:- COPY OF THE NEWS ITEM DT. 2.1.05 OF MATHRUBHUMI DAILY .

EXT.P11:- COPY OF THE FIR IN CRIME NO.105/07 OF ARYANAD POLICE STATION.

EXT.P12:- COPY OF THE PETITION DT. 2.4.07 FILED BY THE PETITIONER BEFORE THE HONOURABLE CHIEF MINISTER OF KERALA WITH COPY TO THE RESPONDENTS 2,3,4,5 AND 6.

/TRUE COPY/

P.S. TO JUDGE

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K.BALAKRISHNAN NAIR &
HARUN-UL-RASHID, JJ.

W.P.(C) No. 12265 of 2007-I

Dated 18th August, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner, who is fighting against the illicit distillers, apprehends that he and his family members may be attacked and killed by respondents 7 to 10, who are stated to be illicit distillers. The learned Government Pleader, upon instructions, submitted that the said party respondents are engaged in illicit distilling. According to the perception of the police, at present there is no threat to the life of the petitioner and his family members. If occasion arises, the police will grant protection to them. The learned counsel for the 7th respondent disputes the allegation that the said respondent is an illicit distiller.

2. If any threat to the life of the petitioner or his family members is apprehended, the petitioner may inform respondents 5 and 6. In that event, they shall act vigilantly and extend necessary protection to the

petitioner and his family members.

The writ petition is disposed of as above.

K. BALAKRISHNAN NAIR,JUDGE.

HARUN-UL-RASHID,JUDGE.

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